



PIONEER HI-BRED INTERNATIONAL

CORPORATE INTELLECTUAL PROPERTY DEPARTMENT
7100 N.W. 62ND AVENUE, P.O. BOX 1699
JOHNSTON, NC 27020
PHONE: (515) 248-4888
TELEFAX: (515) 334-6883

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May 15, 2001

Examiner K. Kerr
United States Patent and Trademark Office
1911 South Clark Place
CM1, 7th Floor
Arlington, VA 22202

Re: "NOVEL HIGH LYSINE PROTEINS"
Applicants: Rao, *et al.*
Serial No.: 09/311,689
Our Docket No.: 0571R2

Dear Examiner Kerr:

As you requested, please find enclosed copies of documents A3 – A22 pertaining to the above application.

If you have further questions, please call me at: (515)254-2823 or I may be reached by email at: callisbev@phibred.com.

Best regards,

Steven J. Callistein
Corporate Patent Counsel

SJC/ner
enc.

**PIONEER HI-BRED INTERNATIONAL, INC.
CORPORATE INTELLECTUAL PROPERTY DEPARTMENT**

FAX TRANSMISSION

7100 N.W. 62nd Avenue
P.O. Box 1000
Johnston, Iowa 50131-1000

Phone: (515) 253-5707
Fax: (515) 334-6883

TO: EXAMINER KATHLEEN M. KERR
FROM: KATHRYN LAPPEGARD
RE: U.S. PATENT APPLICATION SERIAL NO. 09/311,689
ATTORNEY DOCKET NO. 0571R2E
DATE: 12/12/03 FAX NUMBER: (703) 746-5205
NUMBER OF PAGES FOLLOWING THIS SHEET: 7

COMMENTS:

TRANSMISSION INCLUDES THE FOLLOWING:

Supplemental Amendment (7 Pages)

The contents of this facsimile are or may be attorney privileged and/or confidential and are intended only for the use of the recipient identified above. If the reader of this message is not the identified recipient, or the employee or agent responsible for delivering it to the identified recipient, you are hereby notified that any dissemination or use of this communication is unlawful and strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return the original message to the sender at the above address via the U.S. Postal Service. Anyone so cooperating will be reimbursed for the reasonable expense incurred.

If there is a problem with transmission or illegible pages, please contact the sender or (515) 334-6845.

*Official
received
12/12/03
K. Kerr*

CERTIFICATE OF MAILING
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL NO. EL213569516US, IN AN
ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, D.C. 20231, ON APRIL 30, 1999.

Catherine D. Brooke
AGENT/ATTORNEY FOR APPLICANT
April 30, 1999
DATE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

Attorney's Docket Number: 0571R-PCT-US U.S. Application No.
(If known, see 37 CFR 1.5)
International Application No.: PCT/US97/20441 International Filing Date: October 31, 1997
Priority Date claimed: November 1, 1996 U.S. App. No. 08/740,682
Title of Invention: "PROTEINS WITH ENHANCED LEVELS OF ESSENTIAL AMINO ACIDS"
Applicant(s) for DO/EO/US: Aragula Gururaj Rao and Keith R. Roesler

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. To 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☒ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
1. PCT - Request
 2. PCT - Notification of the International application number and of the international filing date.
 3. PCT - International application publication WO/98/20133
 4. PCT - Chapter II Demand
 5. PCT - Notification of Receipt of Demand
 6. PCT - Written Opinion
 7. Article 34/Rule 66.3 Amendment #1
 8. PCT - Notification concerning informal communications with the Applicant
 9. Article 34/Rule 66.3 Amendment #2
 10. Notification of Transmittal of the International Preliminary Examination Report

CALCULATIONS PTO USE ONLY

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)): \$930.00

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO \$1,070.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO. . . \$930.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445 (a)(2)) paid to USPTO \$790.00

SEND ALL CORRESPONDENCE TO:

Pioneer Hi-Bred International, Inc.
Corporate Intellectual Property
7100 N.W. 62nd Avenue
P.O. Box 1000
Johnston, Iowa 50131-1000
Phone: (515)248-4819
FAX: (515)334-6883

Catherine D. Brooke

SIGNATURE

Catherine D. Brooke

NAME

44,041

REGISTRATION NUMBER

418 Rec'd PCT/PTO 03 MAY 1999

[Handwritten signature]



CERTIFICATE OF MAILING
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN
ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, D.C. 20231, ON APRIL 29, 1999

Catherine D. Brooke
AGENT/ATTORNEY FOR APPLICANT

April 29, 1999
DATE

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Attorney's Docket Number: 0571R-PCT-US U.S. Application No.
(If known, see 37 CFR 1.5)

International Application No.: PCT/US97/20441 International Filing Date: October 31, 1997

Priority Date claimed: November 1, 1996 U.S. App. No. 08/740,682

Title of Invention: "PROTEINS WITH ENHANCED LEVELS OF ESSENTIAL AMINO ACIDS"

Applicant(s) for DO/EO/US: Aragula Gururaj Rao and Keith R. Roesler

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9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. To 16. below concern document(s) or information included:

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☐ A SECOND or SUBSEQUENT preliminary amendment.

14. ☐ A substitute specification.

15. ☒ A change of power of attorney and/or address letter.

16. ☒ Other items or information:

1. PCT – Request
2. PCT – Notification of the International application number and of the international filing date.
3. PCT – Notification of Receipt of record – copy
4. PCT – Notification concerning submission of priority documents
5. PCT – International application publication WO/98/20133
6. PCT – Chapter II Demand
7. PCT – Notification of Receipt of Demand
8. PCT – Written Opinion
9. Article 34/Rule 66.3 Amendment #1
10. PCT – Notification concerning informal communications with the Applicant
11. Article 34/Rule 66.3 Amendment #2
12. Notification of Transmittal of the International Preliminary Examination Report

CALCULATIONS PTO USE ONLY

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):

\$930.00

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO \$1,070.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO. . . \$930.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445 (a)(2)) paid to USPTO \$790.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4). \$720.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) \$98.00

ENTER APPROPRIATE BASIC FEE AMOUNT = \$930

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(e)). \$

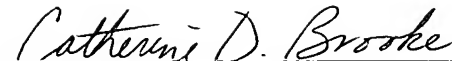
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$930	
Total claims	39-20 =	19	x \$22.00	\$418	
Independent claims	4- 3 =	1	x \$82.00	\$82	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$0	
TOTAL OF ABOVE CALCULATIONS =				\$1430	
Reduction of ½ for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28)				+	\$
SUBTOTAL =				\$14300	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f))				\$	
TOTAL NATIONAL FEE =				\$1430	
U.S. Application No.:			International Application No.:PCT/US97/20441		
Attorney's Docket No.:0571R PCT-US					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 40.00	
TOTAL FEES ENCLOSED =				\$1470	
			Amount to be refunded:	\$	
			Amount to be charged:	\$1470	

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 16-1852 in the amount of \$1470 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.16 and 1.17 , or credit any overpayment to Deposit Account No. 16-1852. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Pioneer Hi-Bred International, Inc.
Corporate Intellectual Property
7100 N.W. 62nd Avenue
P.O. Box 1000
Johnston, Iowa 50131-1000
Phone: (515)248-4819
FAX: (515)334-6883


SIGNATURE

Catherine D. Brooke

NAME

44,041

REGISTRATION NUMBER

09/297418
80 Rec'd PCT/PTO 30 APR 1999**IN THE EUROPEAN PATENT OFFICE**

In Re International Application of
PIONEER HI-BRED INTERNATIONAL, INC.

International Application No.: **PCT/US97/20441**

International Filing Date: **31 October 1997 (31.10.97)**

For: **PROTEIN WITH ENHANCED LEVELS OF ESSENTIAL AMINO ACIDS**

TRANSMITTAL LETTER**CHAPTER II DEMAND & REQUEST FOR
CHANGE OF APPLICANT'S ADDRESS**

International Preliminary Examining Authority
EUROPEAN PATENT OFFICE
Erhardtstr. 27
D-80331 Munich
GERMANY

VIA UPS INTERNATIONAL COURIER

Dear Sir/Madam:

With reference to the above identified PCT application, attached is a Chapter II Demand under Article 31 of the Patent Cooperative Treaty and accompanying documentation. Applicant respectfully requests that this Chapter II Demand and accompanying documents be entered into the aforementioned application upon receipt.

Also, it is respectfully requested, under Rule 92bis.1(a)(i)(ii), that the address for the Applicant, Pioneer Hi-Bred International, Inc., be changed from 7100 N.W. 62nd Avenue, Darwin Building, Johnston, Iowa 50131-1000 U.S.A. to the following:

PIONEER HI-BRED INTERNATIONAL, INC.
800 Capital Square
400 Locust Street
Des Moines, Iowa 50309
United States of America

The above identified address is the official corporate address for the Applicant. This address change is reflected on the enclosed Chapter II

Demand. The mailing address for the Agents of Record will remain as originally identified in the PCT Request.

Respectfully submitted,

Marianne H Michel

**MARIANNE H. MICHEL, Agent &
Assistant Secretary for
PIONEER HI-BRED INTERNATIONAL, INC.**

Enclosures

\\jupiter\groups\COLEGAL\PATENT\CORRESPOND\NL\0571R-PCT-ChapII-Trans.doc